# United States Court of Appeals For the Fifth Circuit

RECEIVED				
June 05, 2023	No. 23-50090	FILED		
CLERK, U.S. DISTRICT COURT WESTERN DISTRICT OF TEXAS		June 05, 2023		
BY: JMV DEPUTY		CLERK, U.S. DISTRICT COURT WESTERN DISTRICT OF TEXAS		
		$_{ m BY:}$ JMV		
		DEPUTY		

Kimberly D. Hogan Pro se Plaintiff / Appellant

Appeal from the USDC for the Western District of Texas USDC CASE NUMBER: 1:21-CV-00892-RP

Aspire Financial, Inc. D/B/A Aspire Lending and Council Donald E. Uloth Defendants / Appellees

### **OBJECTION!**

5TH NOTICE WITH ADDITIONAL INDISPUTABLE PROOF OF
FRAUD COLLUSION AND TREASON BY THE COURT
MOSTLY VIA WEAPONIZED CORRUPT STASI CLERKS

JUDICIAL COMPLAINT
CONFLICTS OF INTEREST RECUSAL
DEMAND FULL PANEL EN BANC HEARING

#### 1. Plaintiff / Appellant:

Plaintiff: Kimberly D. Hogan Pro se 900 Discovery Blvd. #13102 Cedar Park, Texas 78613 kdhogan@ymail.com

(303)246-1587

#### 2. Defendants / Appellees:

Defendant: Aspire Financial, Inc. d/b/a Aspire Lending 4100 Alpha Rd. Suite 300 Dallas, Texas 75244

info@aspirelending.com

(877)325-2009

Defendant's Counsel: Donald E. Uloth

Texas Bar No. 20374200

18208 Preston Rd. Suite D-9 #261

Dallas, Texas 75252

Phone: (855) 952-4645

Fax: (972) 777-6951

Email: don.uloth@uloth.pro

Trial Court Clerk: Dallas County 162nd District Court

Clerk of the Court: Felicia Pitre

600 Commerce Street, Suite 103

Dallas, Texas 75202

(214) 653-7307

#### felicia.pitre@dallascounty.org

Trial Court Coordinator: Dallas 162nd District Court

Court Coordinator: Melinda Thomas

600 Commerce Street, Room 730 B

Dallas, Texas 75202

(214) 653-7348

mthomas@dallascourts.org

Appellate Court Clerk: Dallas 5th Court of Appeals

Clerk of the Court: Lisa Matz

600 Commerce Street, Suite 200

Dallas, Texas, 75202

Phone: (214) 712-3450

Fax: (214) 745-1083

TheClerk@5th.txcourts.gov

Supreme Court of Texas Deputy Clerk:

Deputy Clerk of the Court: Kristen Golby

201 W. 14th Street, Room 104

Austin, Texas 78701

(512) 463-1312

kristen.golby@txcourts.gov

Supreme Court of Texas Clerk:

Clerk of the Court: Blake A. Hawthorne

201 W. 14th Street, Room 104

Austin, Texas 78701

(512) 463-1312

U.S. District Judge Robert Pitman

501 West 5th Street, Suite 5300

Austin, Texas 78701

(512) 391-8792

U.S. Magistrate Judge Mark Lane

501 West 5th Street, Suite 7400

Austin, Texas 78701

(512) 916-5896 ext. 8705

Tyler Technologies

5101 Tennyson Parkway

Plano, Texas 75024

(972) 713-3700
----------------

info@tylertech.com

Newly Added:

United States Fifth Circuit Court of Appeals

Deputy Clerk Lisa E. Ferrara

600 Maestri Place Suite 115

New Orleans, Louisiana 70130

(504) 310-7675

Now Newly Added For More FRAUD Upon And BY THE COURT:

United States Fifth Circuit Court of Appeals

**NOWHERE LISTED** on the ATTACHED BELOW 5th Circuit's Contact List:

Mystery "Deputy Clerk" Melissa Shanklin

#### FIFTH CIRCUIT CLERK'S OFFICE & JUDGES

600 S. Maestri Place, Suite 115 New Orleans, LA 70130-3408 Main Number (504) 310-7700

Lyle W. Cayce, Clerk of Court Thomas Plunkett, Chief Deputy Clerk

#### Attorney Admissions and Renewals

Attorney Admissions/Renewals.... 310-7947 Counsel to Clerk's Office Timothy Phares, Attorney Advisor .... 310-7665 Case Administration Division Peter Conners, Case Administration Manager ..... ..... 310-7685 Northern (10000) and Western (50000) Texas MAIN NUMBER 310-7806 Amanda Sutton-Foy, Case Manager 310-7670 Melissa Courseault, Case Management Clerk ......310-7701 Melissa Mattingly, Case Management Clerk 310-7719 Renee McDonough, Generalist ......310-7673 Casey Sullivan, Case Management Clerk ......310-7642 ......310-7686 Mary Frances Yeager, Case Management Clerk ..... 

Updated March 15, 2023

#### Southern (20000) and Eastern (40000) Texas

MAIN NUMBER	
Angel Tardie, Case Manager	310-7715
Nancy Dolfy, Opinions Specialist	310-7683
Shawn Henderson, Case Management Clerk.	310-7668
Dantrell Johnson, Case Management Clerk	310-7689
Rebecca Leto, Case Management Clerk	310-7703
Donna Mendez, Case Management Clerk (Prisoner/Pro Se)	310-7677
Christy Rachal, Case Management Clerk	310-7651

#### Also in NON-VIRUS SEARCHABLE LINK FORMAT HERE:

https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:ae076566-4ebe-488b-bff5-7c2d2cde 887e

600 Maestri Place Suite 115

New Orleans, Louisiana 70130

Main Number: (504) 310-7700

AND John Does and Jane Does 1-100 Identities Yet to be determined.

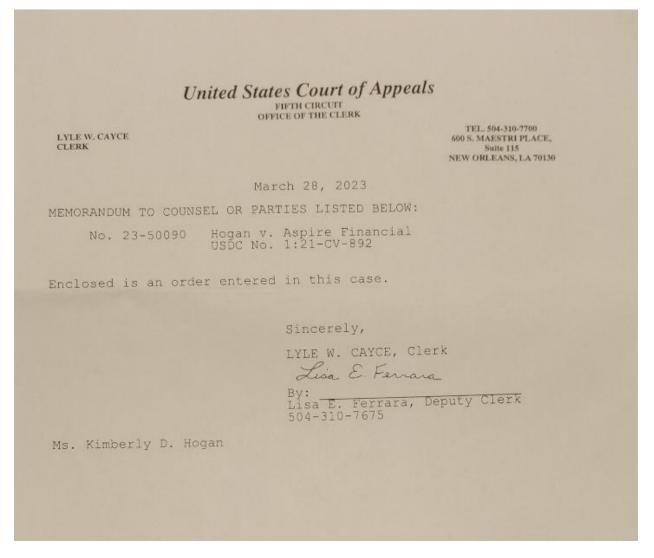
**ATTENTION:** Chief Judge Priscilla Richman, Former Chief Judge Edith Jones, Judge Jennifer Walker Elrod, Judge James F. Graves Jr., and Judge James Ho,

After waiting Months for a Response to my Appeal and Second Appeal, both Filed on August 12th, 2022 (well in time before my Statute of Limitation from Final Judgment Ruling entered July 18th, 2022), I decided to File a 3rd Amended Appeal Filed on February 3rd 2023 in hopes that one would receive a response, as the saying goes "3rd time's a charm". I Filed my first two Appeals well before the Statute of Limitation Deadline of August 17th 2022. And, in fact, according to the Rules, **I Won by Default** since no one ever responded to me by their Statute of Limitation Deadline of September 11th, 2022. With all that being said, now I want to know which is it? Is it vision problems, ineptness, Corruption, **FRAUD**, Collusion or TREASON? I received this Fraudulent "UNPUBLISHED ORDER" from the Clerk/Deputy Clerk, specifically Deputy Clerk Lisa Ferrara, stating that my MANY YEARS Long Fought Battle Case is "DISMISSED for want of Jurisdiction". She FALSELY claims I missed filing a timely notice of appeal by August 17th, 2022. She completely did not look at Docket Entries 22, 23, and 24, or Completely Ignored all three Docket Entries that Prove I Filed on

August 12th, 2022, well before my SOL. Deputy Clerk Ferrara fast forwarded to Docket Entry 25, my 3rd Amended Appeal Dated January 31st, 2023, completely Ignoring Docket Entries 22, 23, and 24, and especially Ignoring the fact that no one ever responded to #24, which means I won by Default. Very Interesting SELECTIVE VISION Problems it appears Deputy Clerk Ferrara suffers from. She was able to see just fine Docket Entry #21 the Final Judgment dated July 18th, 2022, and was able to see Docket Entry #25 my 3rd Amended Appeal just fine. Interesting that the SELECTIVE VISION doesn't notice AT ALL there is NO RESPONSE to my Timely Filed Appeal dated August 12th, 2022, and that I Actually Have Won By Default. ALL THE PROOF CAN BE SEEN HERE ON THE NON-VIRUS PACER LINK FOR THIS CASE: https://www.pacermonitor.com/case/42145060/Hogan v Aspire Financial, Inc. et al

Here Attached Below is all the Proof to see, YET AGAIN, this time in a new and Higher Court The Fifth Circuit Court of Appeals, The **FRAUD UPON AND BY THE COURT** Continues:

#### Proof of **FRAUD** By The Fifth Circuit Court of Appeals Deputy Clerk Lisa Ferrara:



#### Also in NON-VIRUS SEARCHABLE LINK FORMAT HERE:

https://acrobat.adobe.com/link/track?uri=urn:aaid:scds:US:aecf9d0e-c161-4dc6-9ae3-cd2ea2ebfb5f

Proof of **FRAUD** Upon and By The Fifth Circuit Court:

Case: 23-50090 Document 00516691300 Page: 1 Date Filed: 03/28/2023

## United States Court of Appeals for the Fifth Circuit

No. 23-50090

JOHN CHOSE COURT OF AUGUSTIC

FILED March 28, 2023

Lyle W. Cayce Clerk

KIMBERLY D. HOGAN.

Plaintiff-Appellant,

versus

ASPIRE FINANCIAL, INCORPORATED, doing business as ASPIRE LENDING; DONALD E. ULOTH; FELICIA PITRE, Clerk of the Court; DALLAS COUNTY 162ND DISTRICT COURT; MELINDA THOMAS, Court Coordinator; DALLAS 162ND DISTRICT COURT; LISA MATZ, Appellate Court Clerk; DALLAS 5TH COURT OF APPEALS; KRISTEN GOLBY, Deputy Clerk of the Court; SUPREME COURT OF TEXAS; BLAKE A. HAWTHORNE, Clerk of the Court; SUPREME COURT OF TEXAS; JOHN AND JANE DOES 1-100; TYLER TECHNOLOGIES,

Defendants - Appellees.

Appeal from the United States District Court for the Western District of Texas USDC No. 1:21-CV-892

#### UNPUBLISHED ORDER

Before ELROD, GRAVES, and Ho, Circuit Judges. PER CURIAM:

This court must examine the basis of its jurisdiction, on its own motion if necessary. Hill v. City of Seven Points, 230 F.3d 167, 169 (5th Cir.

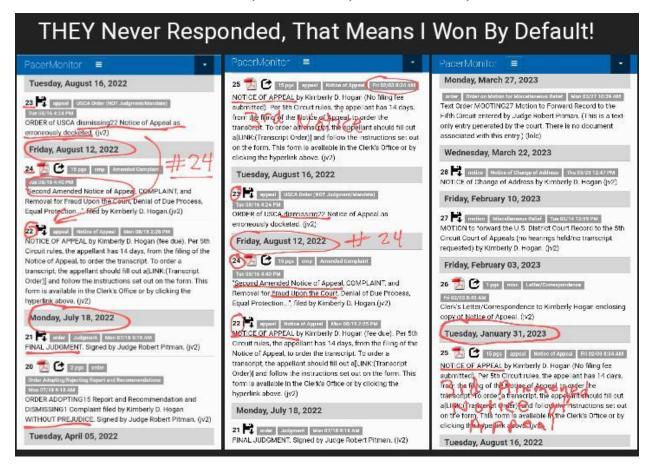
No. 23-50090

2000). Pursuant to 28 U.S.C. § 2107(a) and Federal Rule of Appellate Procedure 4(a)(1)(A), the notice of appeal in a civil case must be filed within thirty days of entry of judgment.

#### Also in **NON-VIRUS SEARCHABLE LINK HERE:**

https://acrobat.adobe.com/link/track?uri=urn:aaid:scds:US:9bbe82ba-0290-4ee6-a1de-eb4a458450cc

#### PROOF OF SELECTIVE VISION, INEPTNESS, CORRUPTION, OR COLLUSION:



#### Also in NON-VIRUS SEARCHABLE LINK HERE:

https://acrobat.adobe.com/link/track?uri=urn:aaid:scds:US:bd3d4f16-d4ad-4719-9e3d-83 0329fbb87b

#### Proof of Timely Filed **August 12th**, **2022** 2nd Amended Appeal:

Case 1:21-cv-00892-RP Document 24 Filed 08/12/22 Page 1 of 15

FILED

# UNITED STATES FEDERAL DISTRICT COURT WESTERN DISTRICT OF TEXAS AUSTIN DIVISION BY:

- August 12, 2022
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
CCC

Kimberly D. Hogan Pro se Plaintiff / Appellant

CASE NUMBER: 1:21-CV-00892-RP

Aspire Financial, Inc. D/B/A Aspire Lending and Council Donald E. Uloth Defendants / Appellees

2ND AMENDED NOTICE OF APPEAL, COMPLAINT, AND REMOVAL FOR FRAUD
UPON THE COURT, DENIAL OF DUE PROCESS, EQUAL PROTECTION, AND
MEANINGFUL ACCESS TO THE COURT, RECORDS TAMPERING CENSORING
EVIDENCE STRIPPING, AND FOR A FRAUDULENT CONCOCTED UNITED STATES DISTRICT
COURT WESTERN DISTRICT OF TEXAS AUSTIN DIVISION, RICO AND
FEDERAL CRIME VIOLATIONS TO OATH OF OFFICE

#### 1. Plaintiff / Appellant:

Plaintiff: Kimberly D. Hogan Pro se 10015 Lake Creek Pkwy. #621 Austin, Texas 78729 kdhogan@ymail.com (303)246-1587

#### 2. Defendants / Appellees:

Defendant: Aspire Financial, Inc. d/b/a Aspire Lending 4100 Alpha Rd. Suite 300

1

#### Also in NON-VIRUS SEARCHABLE LINK HERE:

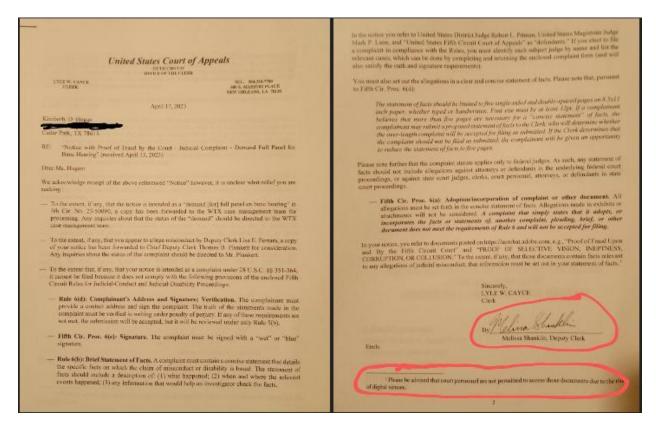
https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:b93d124a-8459-4c33-bdde-4392d30a113c

Which It was NEVER RESPONDED TO, therefore I LEGALLY Won by Default!

#### **NON-VIRUS PACER LINK:**

https://www.pacermonitor.com/case/42145060/Hogan v Aspire Financial, Inc et al

I <u>DEMAND</u> THIS CASE BE REOPENED IMMEDIATELY Due To It Being FRAUDULENTLY Dismissed! The Corruption only continues further with This Bullcrap Response from Melissa Shanklin SUPPOSED DEPUTY CLERK that the Courts are not permitted to access digital doc links which is a LIE! See Melissa Shanklin's additional FRAUD BY THE COURT HERE:



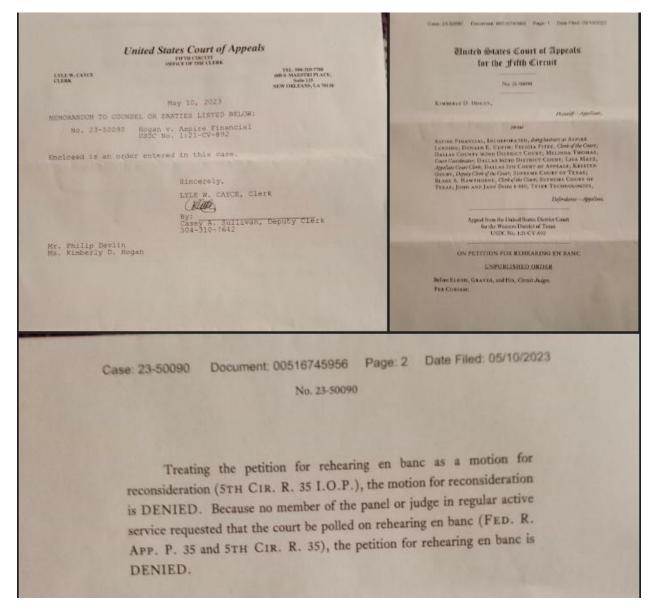
#### Also in **NON-VIRUS SEARCHABLE LINK HERE:**

 $\underline{https://acrobat.adobe.com/link/track?uri=urn:aaid:scds:US:e9a85c63-c60e-4e5a-8c8a-2c8}\\ \underline{f6f4791b4}$ 

All throughout this case and throughout ALL the previous courts, and inserted in EVERY "ACCEPTED" FILING in ALL the previous courts there have ALWAYS been Attached Searchable Links! THE COURTS HAVE VIRUS PROTECTION!

Clearly the **FRAUD AND TREASON** BY THE COURT is Rampant and Systemic at the 5th Circuit, with most of it being run on behalf of the highly **Corrupt TREASONOUS Stasi Clerks** actions!

Here is the most recent FRAUD BY THE COURT/CLERKS Ruling I received from Deputy Clerk Casey A. Sullivan, dated May 10th 2023:



I Firmly suspect and believe **Judge Elroy**, **Judge Graves**, and **Judge Ho** have Not even had the chance to see Anything to do with my Case, due to **TREASONOUS Free Range Stasi Clerks** Responding with their **FRAUDULENT** Rulings well before the Judges have any knowledge of or chance to review the filings. And here it has happened YET AGAIN, with this interestingly same dated as my last filing entered on the record (May 25th 2023) Ruling by Free Range Deputy Clerk Lisa

Ferrara, clearly once again before any assigned Judges Panel could see my filing:

	tes Court of Appeals FIFTH CIRCUIT FICE OF THE CLERK
LYLE W. CAYCE CLERK	TEL. 564-316-7706 600 S. MAESTRI PLACE, Suite 315 NEW ORLEANS, LA 70130
Me	ay 25, 2023
Ms. Kimberly D. Hogan 900 Discovery Boulevard Room 13102 Cedar Park, TX 78613	
No. 23-50090 Hogan v. USDC No.	Aspire Financial 1:21-CV-892
Dear Ms. Hogan,	
We are taking no action on the we are unable to determine closed.	e document titled "objection" because the relief requested. This case is
	Sincerely,
	LYLE W. CAYCE, Clerk Lisa & Ferrara
	By: Lisa E. Ferrara, Deputy Clerk 504-310-7675

Ferrara claims there is no relief requested, which is Bogus; the relief is requested in the claim itself that I demanded this case/claim that was **FRAUDULENTLY** DENIED AND CLOSED be reopened.

Here is more Supporting Proof of Free Range Clerks **FRAUD** and **TREASON** in the 5th Circuit BY YET ANOTHER CORRUPT 5TH CIRCUIT COURT CLERK Disclosed via a **NON-VIRUS LINK**:

https://lawsintexas.com/a-fifth-circuit-clerk-corruptly-impersonating-appellants-induces-finality-of-appeal/

AND, There's This Claim Of The Legal System Being "Corrupt Beyond Recognition" From Your Own Former Chief Judge Edith Jones Of The 5th Circuit via a NON-VIRUS LINK: <a href="https://republicbroadcasting.org/news/american-legal-system-is-corrupt-beyond-recognition/">https://republicbroadcasting.org/news/american-legal-system-is-corrupt-beyond-recognition/</a>

Due to ALL of what I have experienced this past near **DECADE** throughout Every Level of the Corrupt to the Core Courts I have been through in Texas since the very beginning of my Case, ALL of the **BLATANT FRAUD, COLLUSION BY PROTECTING THE GLOBAL BIG BUSINESS MONEY LAUNDERING RACKETEERS**(**DEFENDANTS**), **TREASON**, **WEAPONIZED COURT EVIDENCE & EXHIBITS STASI CENSORSHIP COURT STRIPPING**, led me to File an Intervention in this One of the Largest Cases In History:



Case 3:22-cv-01213-TAD-KDM Document 200 Filed 02/09/23 Page 1 of 2 PageID #: 10047

RECEIVED

In the United States District Court Louisiana Western District Court

(U.S. District Courts)

800 Lafayette, Suite 2100 Lafayette, LA 70501, USA

	TON	YR	MOC	NE.	CLER	W.	
WE	TON STERN SHORE	OKS	THIK	TOF	LOU	MEN	34

Missouri	)			
Louisiana Et Al	)	Cause	3:22-CV-01213	
vs	)	Statement Of Facts		
Joe Biden Et Al	)			

#### STATEMENT OF FACTS

CENSORSHIP is Not just happening on Social Media Platforms, CENSORSHIP IS HAPPENING UPON COURT RECORDS/DOCKETS AS WELL!

On May 15th, 2017 I Filed a Petition into Texas Williamson County 395th District Court where Venue got changed to the Dallas 162nd District Court, where from there and every Court after: The Dallas 5th Appellate Court, The SCOTEX, and Now U.S. Federal District Court Texas Western Austin Division, my INDISPUTABLE PROOF Evidence and Exhibits were continuously COURT STRIPPED and CENSORED. This is what led me to File an Intervention into this MASSIVE Censorship Case in Louisiana. Any and Every Filing's Supporting PDF Docs of Indisputable PROOF Evidence and Exhibits were continuously STRIPPED from the Record to ensure they would Not be seen, and so that I had no way of winning my case. Here attached is the Link for my 3rd Amended Notice of Appeal, Complaint, And Removal For The FRAUD and CENSORSHIP Upon And By Each Of The Courts Listed Above:

https://acrobat.adobe.com/link/review?uri=urn;aaid;scds:US;cbb5949c-9305-4328-b8b0-7a06a8d7688a

7

Case 3:22-cv-01213-TAD-KDM Document 200 Filed 02/09/23 Page 2 of 2 PageID #: 10048

The CENSORSHIP And Violations Of The People's Rights Will NOT Be Tolerated!

Petitioner:

/s/ Kimberly D. Hogan

Kimberly D. Hogan

10015 Lake Creek Pkwy #621

Austin, Texas 78729

Here is the Updated Statement of Facts **NON-VIRUS LINK** In the CENSORSHIP case No. 3:22-CV-01213 that includes the link to THIS FILING: <a href="https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:0bded2f8-e461-4cd0-8a57-0f5dad710997">https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:0bded2f8-e461-4cd0-8a57-0f5dad710997</a>

Censorship is not just happening on Social Media Platforms, it is taking place in our Courts to prevent cases like mine from being seen by the public and won! I have Filed as an Intervenor into this Historical Case ALL of what my experiences have been throughout ALL of the Corrupt To The Core Courts so All Eyes Can See just how **Dirty TREASONOUS and WEAPONIZED** the United States Courts Truly have become; I have Filed a copy of "THIS" **OBJECTION** / Filing #5 into that case as well! MANY MANY People **GLOBALLY** Are Keeping an eye on and Closely Following **Both** of these Cases! The **TRUTH always comes out in The End!** Like this Breaking News Truth here:

https://www.europarl.europa.eu/cmsdata/161094/7%20-%2001%20EPRS\_Underst anding%20money%20laundering%20through%20real%20estate%20transactions.p

The same operation as the Defendants in my case that are clearly being Protected!

<u>Aspire / Texas Lending and the US Courts and Government.</u> The Judges in this matter are financed by the Investors that finance Kevin and Katy Miller .... all the same Financial Machine. https://stopworldcontrol.com/monopoly/

Which side of History do you choose to be on!?

# RE-OPEN MY CASE IMMEDIATELY!!!! I WANT MY PRAYER/RELIEF THAT IS CLEARLY STATED IN MY CLAIM!!!!

Respectfully Submitted,

/s/ Kimberly D. Hogan (Accepted as a LEGAL "ELECTRONIC SIGNATURE"!)

Kimberly D. Hogan

900 Discovery Blvd. #13102

Cedar Park, Texas 78613

kdhogan@ymail.com

(303) 246-1587

June 5th, 2023